

PATENT #3

Pre Amdt A

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: David Alumot, Gad Neumann,  
Rivka Sherman & Ehud Tirosh

PRIOR APPLICATION:

SERIAL NO.: 07/790,871

FILING DATE: November 12, 1991

TITLE: TWO-PHASE OPTICAL INSPECTION METHOD AND APPARATUS  
FOR DEFECT DETECTION

EXAMINER: A. Johns

GROUP ART UNIT: 2606

OLD ATTY. DKT. NO.: 2822US

NEW ATTY. DKT. NO.: 3154US

BOX PATENT APPLICATION  
ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

APPLICATION FILING UNDER 37 CFR § 1.53(b)

SIR:

This is a request for filing a **Continuation** application under 37 CFR § 1.53(b), of pending Prior Application Serial No. **07/790,871** filed on **November 12, 1991** by **David Alumot, Gad Neumann, Rivka Sherman and Ehud Tirosh** for **TWO-PHASE OPTICAL INSPECTION METHOD AND APPARATUS FOR DEFECT DETECTION**.

1. A specification that contains no new matter, and a copy of the executed oath or declaration from Prior Application Serial No. **07/790,871**, filed on **November 12, 1991**, is filed herein.

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## 2. Amendments:

- ☒ Cancel in this application original claims 2 - 95 of the Prior Application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- ☒ A Preliminary Amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the Prior Application.)

## 3. Method of payment of fees:

- ☒ Fee Transmittal is enclosed.

## 4. Relate Back: 35 USC § 120:

- ☒ Amend the specification by inserting immediately after the title and before the first line the paragraph:

"Related Applications

This is a

- ☒ continuation

☐ divisional

of co-pending application(s)

- ☒ Serial No. 07/790,871 filed on November 12, 1991, which is incorporated by reference herein in its entirety." <sup>now U.S. Patent No. 5,699,447,</sup>

☐ International Serial No.: \_\_\_\_\_ filed on \_\_\_\_\_ and which designated the U.S. This application is incorporated by reference herein in its entirety." ]

## 5. Inventorship Statement:

☒ With respect to the prior co-pending U.S. application from which this application claims benefit under 35 USC § 120, the inventor(s) in this application is (are):

☒ the same

☐ less than those named in the Prior Application and it is requested that the following inventor(s) identified above for the Prior Application be deleted:

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(Type name(s) of inventor(s) to be deleted)

## 6. Assignment:

☒ The Prior Application is assigned of record to **Orbot Instruments, Ltd.** recorded in the Patent Office at Reel No.:5976 Frame No.: 0883.

☐ an assignment of the invention to \_\_\_\_\_ is attached. An additional PTO-1595 Form is also attached.

## 7. Power of Attorney:

☒ The power of attorney appears in the Prior Application.

☒ An Associate Power of Attorney, which includes the undersigned, was filed in the Prior Application on **May 19, 1997.**

☒ Address all future communications to:

Christopher M. Tobin, Esq.  
FENWICK & WEST LLP  
Two Palo Alto Square  
Palo Alto, CA 94306  
Tel.: (650) 858-7135  
Fax.: (650) 494-1417

I hereby declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully Submitted,

DAVID ALUMOT, GAD NEUMANN, RIVKA SHERMAN AND EHUD TIROSH

Dated: 03 Dec. 1997

By: 

Christopher M. Tobin, Registration No. 40,290  
FENWICK & WEST LLP

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Palo Alto, CA 94306

Tel.: (650) 858-7135

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1997 DEC 03 10 54 30

12/03/97



Jc559 U.S. PTO

PTO/SB/05 (6-95) (modified)

Approved for use through 11/30/96, OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

0002/PTO  
Rev. 6/95U.S. Department of Commerce  
Patent and Trademark Office

Attorney Docket Number

3154

First Named Inventor

David Alumot

Total Pages in this  
Submission

122

**NEW UTILITY PATENT  
APPLICATION TRANSMITTAL**

(to be used for new applications only)

**APPLICATION ELEMENTS**

Notice: Checklist items mentioned under Application Elements section construct a new utility patent application. Please refer to MPEP Sections 506, 601 (37 CFR 1.77, 1.53, 35 USC 111, 112, 113) for detailed explanation regarding completeness of an original patent application.

1. ☒ Fee Transmittal Form (in duplicate)  
☒ Check Enclosed (\$1,578.00)
2. Specification
  - ☒ Title of the Invention
  - ☒ Cross Reference(s) to Related Case(s)
  - ☐ Statement Regarding Federally-sponsored Research/Development
  - ☒ Background of the Invention
  - ☒ Brief Summary of the Invention
  - ☒ Brief Description of the Drawing(s)
  - ☒ Detailed Description
  - ☒ Claim or Claims
  - ☒ Abstract of the Disclosure
  - ☐ Appendix
3. ☒ Drawing(s) (when necessary per 35 USC 113)
4. ☒ Declaration (Copy from 07/790,871)  
☒ Executed

**ACCOMPANYING APPLICATION  
PARTS**

5. ☐ FWC Application Filing Papers under 37 CFR § 1.62
6. ☒ Application Filing Papers Under 37 CFR § 1.53(b)
7. ☐ Assignment & PTO-1595
8. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
9. ☐ Information Disclosure Statement & PTO-1449
10. ☐ Copies of IDS Citation(s)
11. ☐ Petition Checklist and Accompanying Petition
12. ☒ Preliminary Amendment
13. ☐ Proprietary Information
14. ☐ Small Entity Statement
15. ☒ Return Receipt Postcard
16. ☐
17. ☐
18. ☐
19. ☐
20. ☐

**SIGNATURE OF ATTORNEY OR AGENT**

Signature:

Attorney/Reg. No.: Christopher M. Tobin, Registration No. 40,290

Dated: December 3, 1997

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10 addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on the date shown below.

Signature:

Typed or Printed Name: Christopher M. Tobin

Dated: December 3, 1997

Express Mail Mailing Number: EM033487988US

**FOR OFFICIAL USE ONLY**

Application Number		Class		Independent Claims	
Date of Receipt	Application Type	GAU		Total Claims	
	Filing Date	Foreign Filing License?		Drawing Sheets	
	Small Entity	Foreign Address?		Special Handling?	

0002/PTO(modified) Rev. 10/95	U.S. Department of Commerce Patent and Trademark Office	<b>Complete if Known</b>	
<b>FEE TRANSMITTAL</b>		Application Number	Unassigned
		Filing Date	December 2, 1997
		First Named Inventor	David Alumot
		Group Art Unit	Unknown
		Examiner Name	Unknown
<b>TOTAL AMOUNT OF PAYMENT</b>		Attorney Docket Number	3154
Subtotal (1) + Subtotal (2) + Subtotal (3) =		(\$) <b>1,578.00</b>	

METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																									
<b>1. The Commissioner is hereby authorized to:</b> <input type="checkbox"/> Charge the indicated fees to the below mentioned deposit account. <input checked="" type="checkbox"/> Charge any additional fee required under 37 CFR 1.16 and 1.17 or credit any over payments to the below mentioned deposit account. <input type="checkbox"/> Charge the Issue Fee set in 37 CFR 1.18 at the Mailing of the Notice of Allowance, 37 CFR 1.311(b) to the below mentioned deposit account. Deposit Account Number: 19-2555 Deposit Account Name: FENWICK & WEST LLP A Duplicate Copy of this authorization is attached <b>2. <input checked="" type="checkbox"/> Payment Enclosed:</b> <input checked="" type="checkbox"/> Check <input type="checkbox"/> Other		<b>3. ADDITIONAL FEES</b> <table border="1"> <thead> <tr> <th>Large Entity Fee Code/Fee</th> <th>Small Entity Fee Code/Fee</th> <th>Fee Description</th> <th>Fee Due</th> </tr> </thead> <tbody> <tr><td>105/\$130</td><td>205/\$65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127/\$50</td><td>227/\$25</td><td>Surcharge-late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>147/\$2,520</td><td>147/\$2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>115/\$110</td><td>215/\$55</td><td>Extension for response within first month</td><td></td></tr> <tr><td>116/\$400</td><td>216/\$200</td><td>Extension for response within second month</td><td></td></tr> <tr><td>117/\$950</td><td>217/\$475</td><td>Extension for response within third month</td><td></td></tr> <tr><td>118/\$1,510</td><td>218/\$755</td><td>Extension for response within fourth month</td><td></td></tr> <tr><td>119/\$310</td><td>219/\$155</td><td>Notice of Appeal</td><td></td></tr> <tr><td>140/\$110</td><td>240/\$55</td><td>Petition to revive unavoidably abandoned application</td><td></td></tr> <tr><td>141/\$1,320</td><td>241/\$660</td><td>Petition to revive unintentionally abandoned application</td><td></td></tr> <tr><td>142/\$1,320</td><td>242/\$660</td><td>Utility Issue Fee (Or Reissue)</td><td></td></tr> <tr><td>143/\$450</td><td>243/\$225</td><td>Design Issue Fee</td><td></td></tr> <tr><td>122/\$130</td><td>122/\$130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123/\$50</td><td>123/\$50</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>126/\$240</td><td>126/\$240</td><td>Submission of Information Disclosure Statement</td><td></td></tr> <tr><td>581/\$40</td><td>581/\$40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146/\$790</td><td>246/\$395</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>149/\$790</td><td>249/\$395</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td colspan="2">Other fee (specify):</td><td></td><td></td></tr> <tr><td colspan="2">Other fee (specify):</td><td></td><td></td></tr> <tr><td colspan="3"><b>SUBTOTAL (3)</b></td><td><b>(\$)0</b></td></tr> </tbody> </table>		Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due	105/\$130	205/\$65	Surcharge - late filing fee or oath		127/\$50	227/\$25	Surcharge-late provisional filing fee or cover sheet		147/\$2,520	147/\$2,520	For filing a request for reexamination		115/\$110	215/\$55	Extension for response within first month		116/\$400	216/\$200	Extension for response within second month		117/\$950	217/\$475	Extension for response within third month		118/\$1,510	218/\$755	Extension for response within fourth month		119/\$310	219/\$155	Notice of Appeal		140/\$110	240/\$55	Petition to revive unavoidably abandoned application		141/\$1,320	241/\$660	Petition to revive unintentionally abandoned application		142/\$1,320	242/\$660	Utility Issue Fee (Or Reissue)		143/\$450	243/\$225	Design Issue Fee		122/\$130	122/\$130	Petitions to the Commissioner		123/\$50	123/\$50	Petitions related to provisional applications		126/\$240	126/\$240	Submission of Information Disclosure Statement		581/\$40	581/\$40	Recording each patent assignment per property (times number of properties)		146/\$790	246/\$395	Filing a submission after final rejection (37 CFR 1.129(a))		149/\$790	249/\$395	For each additional invention to be examined (37 CFR 1.129(b))		Other fee (specify):				Other fee (specify):				<b>SUBTOTAL (3)</b>			<b>(\$)0</b>
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<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Typed or Printed Name	Christopher M. Tobin	Reg. Number	40,290
Signature		Date	03 Dec. 1997